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 TESLA, INC. dba TESLA MOTORS, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

DEMETRIC DI-AZ, OWEN DIAZ AND  
 LAMAR PATTERSON

Plaintiffs,

v.

TESLA, INC. DBA TESLA MOTORS,  
 INC., CITISTAFF SOLUTIONS, INC.;  
 WEST VALLEY STAFFING GROUP;  
 CHARTWELL STAFFING SERVICES,  
 INC.; NEXTSOURCE, INC.; and  
 DOES 1-10, inclusive

Defendants.

Case No. 17-cv-06748-WHO

**[PROPOSED] ORDER GRANTING  
 DEFENDANT TESLA, INC.'S MOTIONS IN  
 LIMINE**

Date: May 11, 2020  
 Time: 10:00 a.m.  
 Courtroom: 2, 17<sup>th</sup> Floor  
 Judge: Hon. William H. Orrick

Trial Date: June 8, 2020  
 Complaint Filed: October 16, 2017

**PROPOSED ORDER**

On May 11, 2020 at 10:00 a.m., Defendant Tesla, Inc.'s ("Tesla") Motions *In Limine* came on for telephonic hearing, the Honorable William H. Orrick presiding. All parties were represented by counsel.

After consideration of the papers and evidence submitted, and of the oral and written submissions by the respective parties, the Court finds that Tesla is entitled to an order granting Tesla's Motions *In Limine* Nos. 1, 2, 3 and 4 as follows:

1. Tesla's Motion *In Limine* No. 1 is granted. All "me too" testimony from DeWitt Lambert, Nathan Fraim, Titus McCaleb, Brandie To, Nigel Jones, Jakel Williams, Melvin Berry and Demetric Di-az is excluded;
2. Tesla's Motion *In Limine* No. 2 is granted. All "me too" documentary evidence, consisting of Plaintiff's Exhibits 36, 70, 106, 107, 108, 109, 110, 113, and any testimony about any of these exhibits is excluded, including testimony from Josh Hedges, Alfonso Franco, Andres Donet, Liza Lipson, Nathan Fraim, Maggie Crosby, Paul James, Josh Mantz, Jeff Henry, and Plaintiff's designated expert Amy Oppenheimer;
3. Tesla's Motion *In Limine* No. 3 is granted. All "me too" testimony from Lamar Patterson, Tamotsu Kawasaki, Michael Wheeler, and Wayne Jackson is excluded; and
4. Tesla's Motion *In Limine* No. 4 is granted. Plaintiff's counsel may not carry, show or use as demonstrative, a book written by Randall Kennedy entitled "nigger."

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
The Hon. William H. Orrick  
U.S. District Court, Northern District of California